

PLANNING BOARD
JUNE 28, 2016

The Mountainside Planning Board met on Tuesday, June 28, 2016 at the Mountainside Municipal Building, 1385 Route 22, Mountainside, NJ 07092.

In compliance with Chapter 231 OPEN PUBLIC MEETINGS ACT in the State of New Jersey, adequate notice had been given to all members of the Planning Board and the newspaper that had been designated to receive notice, The Local Source.

PRESENT: Messrs. Disko, Ford, Garran, Jakositz, Matlin, Parker, Tomaine, Younghans, Zawislak, Attorney Loughlin, and Secretary Rees.

The minutes of the April meeting were approved as amended.

NEW BUSINESS:

Aranjo, 1254 Route 22, Block 16.01, Lot 48; Klimas, 1257 Poplar Avenue, Block 16.01, Lot 11; and McCloskey, 125 Poplar Avenue, Block 16.01, Lot 12 – Applicants proposed a major three-lot subdivision for transfer of property from Block 16.01 (16..A), lot 11 and 12 to 48. Existing variances included Lot 48 – front yard under 30 feet where 20.01 existed, lot width under 200 feet where 163.02 feet existed, ground floor under 4,000 square feet where 1,998 square feet existed, insufficient parking, and front yard parking. Lot 11 – existing width under 1000 feet where 95 feet existed, existing lot area within 150 feet, and existing driveway in the side yard with a 2.6 foot setback where 11 feet is required. Lot 12 – existing lot width under 100 feet where 76 feet existed, and existing lot area within 15 feet. New variance includes lot area under 26,000 square feet on Lot 48 where 24,238 square feet was proposed.

Mr. Richard Schkolnick, Esq., represented Mr. Aranjo, Mr. Klimas and Mr. McCloskey for their request for lot line adjustments.

Attorney Schkolnick stated that the surveys did not mesh and that there was a conflict with their surveys. Therefore, Mr. Aranjo, Mr. Klimas and Mr. McCloskey were seeking approval for lot line adjustments to resolve this issue. There would be a total of 752 square feet that would be relocated onto Mr. Aranjo's property.

Attorney Loughlin stated that he felt that the application should be transferred to the Zoning Board of Adjustment due to the non-conforming use of Mr. Aranjo's business.

Mr. Disko stated that the limousine service was approved by the former zoning official and the auto repair shop received approval at the same time. These businesses were hard by the Board of Adjustment many years ago.

Attorney Loughlin felt that this should be considered an expansion of use.

Attorney Loughlin advised both the applicants and the board regarding this application.

Although the application could still be heard at this time, Attorney Schkolnick advised his clients to adjourn the application until the July meeting.

Mr. Tomaine informed the members of the audience that no new notice would be required.

Application postponed until the July 26th meeting.

Quinn, 2 High Point Drive, Block 7.01, Lot 1.02 – Applicants proposed to construct a six-foot high vinyl fence in the front yard on a corner lot. New variance included the fence in the front yard on a corner lot.

Attorney Loughlin duly swore in Mr. David Quinn and Mrs. Jaimie Quinn as the homeowners.

Mr. Quinn stated that they live at the top of Summit Road, at the intersection and that they would like to extend their privacy fence on the Summit Road side.

Mr. Quinn requested approval for to extend his fence for the following reasons:

- Safety issue
- Utilization of their property
- Privacy of their property
- Acting as a sound barrier
- Intersection was very busy and had heavy traffic volume
- The fence would match the color of the trim on the house
- The fence would help enlarge the rear yard

Mr. Disko stated that the developer attempted to install a fence, however, he was denied. The developer then installed a fence in conformance to the ordinance.

Mr. Matlin inquired where the fence would be extended. Mr. Quinn showed Mr. Matlin where the fence would be located.

Mr. Quinn testified that the fence would not be located beyond the front of the house.

Mr. Quinn stated that they plan to plant landscaping to hide the new fence. The landscaping would be on the outside of the fence.

Exhibit B-1: Survey showing the proposed fence

Exhibit B-2: Photographs taken by Mr. Disko of their property

Mr. Tomaine stated that it was not only extending along the side of the house but it also encroaches into the side yard setback.

Mr. Quinn stated that since there have been several accidents at the intersection, a fence may help drivers being able to see at the intersection.

Mr. Quinn described what the property would look like with the new fence.

Mr. Zawislak inquired as to how far the fence would be from the house. Mr. Quinn stated that it would be approximately ten feet.

Mr. Quinn proceeded to show the board pictures of the existing trees.

Mr. Disko informed that board that he had visited that intersection. The topography at the top of the hill coming up the traffic signal “kills” the line of sight. Mr. Disko described the intersection. Mr. Disko also described the pictures he had taken.

Mr. Tomaine opened up the floor to the audience for questions. There were none.

Mrs. Quinn described some of the landscaping they would plant along the side of the fence.

Mr. Tomaine opened up the floor to the audience for comments. There were none.

Several board members gave their opinions regarding the application for extending the fence.

Having no further discussion, Mr. Zawislak made a motion to approve the application and Mr. Garran seconded the motion.

CONDITION:

Additional landscaping must be planted along the proposed fence.

ROLL CALL VOTE:

AYES: Mr. Zawislak

NAYS: Mr. Disko

Mr. Garran

Mr. Tomaine
Mr. Parker
Mr. Younghans
Mr. Matlin

MOTION: Denied

Kane, 1267 Virginia Avenue, Block 16.09, Lot 19 – Applicants proposed to construct a patio and drainage improvements at a single-family. Existing variances include front yard under 30 feet where 29.72 feet existed, lot area under 15,000 square feet where 10,191 square feet existed, lot width under 100 feet where 85 feet existed, foundation area over 15 percent where 18.5 percent existed, lot area within 150 feet, and front yard coverage over 30 percent where 31.1 percent existed. New variance includes lot coverage over 30 percent where 34.9 percent was proposed.

Attorney Loughlin duly swore in Mr. Alan Kane as the homeowner.

Mr. Kane stated that he was seeking approval to expand to an already existing patio in the rear yard. He would be slighting over lot coverage by only four percent.

Construction of the patio and drainage system already commenced and when the enforcement officer was informed of this, he put a stop to all construction. Mr. Kane was unaware that permits were required.

Mr. Kane would be removing the old slate pavers and replacing them with new pavers. The new area would involve an additional 450 square feet. They just want to square it off.

Mr. Kane described the new drainage system that would be installed. New gutters and drywell pit would be installed.

Mr. Disko stated that plans must be submitted before any more work continued.

Mr. Tomaine opened up the floor to the audience for questions.

AUDIENCE PARTICIPATION:

Attorney Loughlin duly swore in Mr. Henry Knaz of 1271 Virginia Avenue.

Mr. Knaz stated that the patio was new, that he had never saw the slate patio. Mr. Kane stated that the patio was there when he bought the property.

Mr. Knaz also stated that drainage was not installed properly and he was afraid that the drainage system was now directed towards his property. Mr. Kane stated that if the drainage system needed to be redirected in any way, he would do it.

Mr. Knaz also stated that he constructed a fire pit and that it was too close to the property line. Mr. Kane stated that it was a small, stone fire pit that would be approximately 2-3 feet in diameter that would be placed in the corner of the patio. No trees are located near the proposed fire pit. Mr. Disko advised the board regarding the fire pit. There should not be any safety concerns.

Mr. Disko advised Mr. Kane regarding the how to construct the proposed drainage system.

Mr. Knaz again expressed his concern regarding the PVC pipes that were installed and that the pipes were not a tight fit and not properly glued. Mr. Knaz stated that the laterals were not installed correctly. Mr. Disko stated that the pipes could again be exposed so that he could inspect them. Mr. Kane stated that he would uncover them so that they could be inspected. Mr. Disko stated that the drainage system could be resolved and Mr. Kane agreed with him.

Mr. Tomaine opened up the floor to the audience for comments. There were none.

Having no further discussion, Mr. Matlin made a motion to approve the application and Mr. Younghans seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko

Mr. Tomaine

Mr. Zawislak

Mr. Garran

Mr. Matlin

Mr. Parker

Mr. Younghans

NAYS: 0

MOTION: Approved

Hilongos, 235 Old Tote Road, Block 15.09, Lot 46 – Applicants proposed to construct a swimming pool and decking. Existing variance includes foundation area over 15 percent where 16 percent existed. A new variance included lot coverage over 30 percent where 37.7 percent was proposed.

Attorney Loughlin duly swore in Robert and Mary Hilongos as the homeowners.

Mr. Hilongos stated that he would like to construct a built-in swimming pool in the rear yard of a single-family dwelling.

The pool would be approximately 18 'x 36'. A fence would be constructed around the yard.

Mr. Zawislak inquired about the existing slab. It was a 22'c 16' slab that was constructed approximately three years ago. There was also a basketball court. Both were included in the lot coverage.

Mr. Hilongos testified that he would remove the basketball court in order to reduce lot coverage. Lot coverage would be reduced by two percent if the basketball court was removed.

Mr. Disko informed the board that the basketball court, pavers, and shed were all done without permits or zoning approvals.

When Mr. Hilongos stated that he would remove the shed, The shed was there when they purchased the property. Mr. Zawislak inquired as to where he would keep the pool supplies. Mr. Hilongos testified that he would keep them in the garage.

Mr. Disko reviewed all the accessories and the lot coverage that are located on the property that was built without permits; including the shed, basketball court and pavers.

Mr. Hilongos stated that he would also remove the shed; however, Mr. Zawislak stated that the shed should remain so that he could store the pools supplies in it.

Having no further discussion, Mr. Zawislak made a motion to approve the application and Mr. Younghans seconded the motion.

CONDITIONS:

- The shed could remain
- Detention/retention plan must be submitted to the Borough Engineer
- The basketball pad must be removed
- The pavers could remain

ROLL CALL VOTE

AYES: Mr. Disko
Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Matlin
Mr. Parker
Mr. Younghans

NAYS: 0

MOTION: Approved

Having no further business, the meeting was duly adjourned at 9:25 p.m

Ruth M. Rees
Secretary

